

**Appendix D**

**State of New Hampshire**

**Mitigation Grant Administrative Plan 2004**

# ***STATE OF NEW HAMPSHIRE***

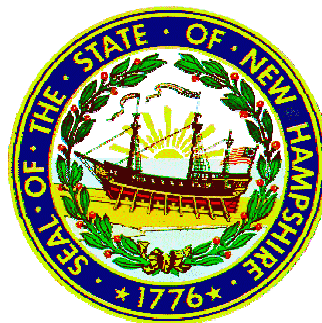
## ***MITIGATION GRANT***

### ***ADMINISTRATIVE PLAN***

***2004 Edition***



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# **NEW HAMPSHIRE MITIGATION GRANT ADMINISTRATIVE PLAN**

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# NEW HAMPSHIRE MITIGATION GRANT ADMINISTRATIVE PLAN

## I. INTRODUCTION

### INTENT:

The intent of Mitigation Grant Program, is to reduce the risk of future damage, hardship, loss, or suffering as a result of major disaster by providing substantial financial support to implement cost-effective mitigation measures. These measures are to be identified as part of the mitigation planning process required of state and local governments as a condition of receiving Federal disaster assistance.

### PURPOSE:

The purpose of this document is to outline the procedures the New Hampshire Bureau of Emergency Management will use to administer the following Mitigation Grant Programs. (1) Hazard Mitigation Grant Program (HMGP) funded through Section 404 of Public Law 93-288, the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, as amended by PL 100-707. (2) Flood Mitigation Assistance (FMA) funded through the Federal Insurance and Mitigation Administration through the National Flood Insurance Reform Act of 1994, Title V, Sections 553 and 554, Public Law 103-325. 42U.S.C. 5154a. (3) Emergency Management Performance Grants (EMPG) Funded by the Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA)

## **II. RESPONSIBILITIES**

### STATE GOVERNMENT:

The Bureau of Emergency Management (here after referred to as BEM) is responsible for administering the Mitigation Grant Programs as defined in this document. BEM will:

1. Develop and publish grant guidance, funding criteria and application forms;
2. Solicit proposals from eligible applicants;
3. Convene a Hazard Mitigation Grant Review Committee to review, evaluate, and recommend priority projects for funding;
4. Forward recommendations for funding to FEMA for final approval; and
5. Develop grant agreements with, and administer funds to, subgrantees and submit quarterly and final reports to FEMA.

### LOCAL GOVERNMENT AND/OR APPLICANT:

Representatives of local government( and/or the applicant) are responsible for the identification of projects and priorities and submittal of proposals to the State for funding consideration; and.

Designating an Agent to represent the applicant to arrange work to be completed, monitor and evaluate work, and provide all essential documentation to BEM.

### FEDERAL GOVERNMENT:

FEMA Region 1 will review the State's recommendations for projects. FEMA has the final authority for approving funding for all projects. FEMA will also prepare all environmental review documents on the submitted projects.

### **III. FUNDING OF ELIGIBLE PROJECTS**

#### FEDERAL:

The FEMA share of any selected project will not exceed 75 percent of the approved total project costs. The total FEMA funds available for hazard mitigation under the 404 Program are directly related to each particular disaster declaration. The nonfederal share may exceed the FEMA share and may be a combination of state, local, private, or other funding. The cost sharing formula for a project will be 75 percent FEMA and 25 percent nonfederal.

Obligation of federal funds for special projects will be completed when project approval has been received from FEMA.

Additional administrative monies are available to the BEM (grantee) and Applicants (subgrantees) for costs of requesting, obtaining, and administering this federal assistance.

#### APPLICANT:

The applicant's share (25 percent) may be composed of applicant generated revenue and private sector resources. In specific situations, state grant funds and Community Development Block Grant (CDBG) funds can be used as part of the local match. Applicant contributions can also be in the form of documented in-kind services. Volunteer labor and materials, actual-in-house labor and equipment costs, are some of the types of in-kind services that may be considered as part of the applicant share.

### **IV. ELIGIBILITY REQUIREMENTS**

#### ELIGIBLE APPLICANTS:

- ≡ State or local units of government.
- ≡ Special purpose districts (e.g., diking, reclamation, irrigation, and sewer).
- ≡ Some private nonprofit organizations (chartered as a private non-profit for quasi-governmental work) school e.g.
- ≡ Indian Tribes or tribal organizations.

#### FEDERAL CRITERIA:

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In addition to federal requirements a project must:

1. Solve the problem it is intended to address;
2. Meet appropriate federal requirements for the program (NEPA, federal permits, etc.);
3. Be located in a community participating in good standing in the National Flood Insurance Program when the grant funding is related to flood disaster declaration;
4. Meet all applicable federal, state, and local permit requirements, and not contribute to or encourage development in the floodplain, wetlands, or other hazardous areas (Executive Orders 11988 and 11990.); and
5. Be cost effective in that it:
  - a. Addresses a problem that has been repetitive, or a specific problem that poses a significant risk if left unsolved.
  - b. Will not cost more than the anticipated value of the reduction in both damages and subsequent negative impacts to the area if future disasters were to occur.
  - c. Has been determined to be the most practical, effective and environmentally sound alternative after consideration of a range of options.
  - d. Contributes, to the extent practicable, to a permanent or long-term solution to the problem it is intended to address.
  - e. Considers long-term changes to the areas and entities it protects, and has manageable future maintenance and modification requirements.

**STATE CRITERIA:**

In addition to the above criteria, a project must also support the general hazard mitigation

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objectives contained in the State Hazard Mitigation Plan(s). Specifically, these projects should:

1. Protect lives and reduce public risk;
2. Increase public safety through improved warning, gauging, and forecasting systems;
3. Reduce the level of disaster vulnerability in existing structures;
4. Avoid future inappropriate development in areas vulnerable to future disasters;
5. Develop and implement comprehensive programs, standards, and regulations that reduce disaster damage;
6. Provide a cooperative, inter-jurisdictional solution to reduce future disaster damage;
7. Reduce the number of vulnerable structures through acquisition, relocation, or flood proofing;
8. Address emerging hazard damage issues such as urban storm water, trees in power line right-of-ways, watershed protection etc.;
9. Restore or protect natural resource, recreation, open spaces, or other environmental values;
10. Increase public awareness of disaster hazards, preventive measures, and emergency responses to disaster; and
11. Reflect adoption of local hazard mitigation planning.



## SOLICITATION OF APPLICATIONS

After all Presidential declarations of disaster, the State Hazard Mitigation Officer (SHMO) will make every effort to publicize the hazard mitigation grant program and inform potential applicants of the availability of mitigation grant funding. Appendix #3 is an information handout on this program.

Information on the program will be given during all public assistance applicant briefings.

Letters and information will be sent to recognized municipalities and town offices within affected counties, and other interested parties.

Information will also be distributed in all mitigation training and briefings.

At the discretion of the State and Federal Hazard Mitigation Officers, a joint press release describing the program may be developed and issued. This release should, at a minimum, contain program information, a letter of intent and application deadlines, and a point of contact for further information.

## V. PROJECT IDENTIFICATION

In addition to the project application process outlined above, the SHMO will identify and encourage appropriate mitigation projects by doing the following:

Prior to the Preliminary Damage Assessment (PDA), brief survey teams on the Hazard Mitigation Grant Program and enlist their help in identifying potential mitigation projects and issues.

Brief the Public Assistance Damage Survey Report Teams that will complete detailed inspections of damaged facilities so that they may identify broad or comprehensive projects that impact several sites. Teams will report findings to the SHMO.

Review hazard mitigation team (Hazard Mitigation Survey Team or Interagency Hazard Mitigation Team) reports from previous and current federally declared disasters to identify potential projects for funding.

Review prior unfunded grant proposals.

## VI. APPLICATION PROCESS

Following the Presidential declaration of a disaster the state may request 404 Hazard Mitigation Grant funds. The following is the process the state uses to request and administer the program.

### STATE SUBMISSION OF LETTER OF INTENT TO PARTICIPATE TO FEMA:

The BEM shall submit Letter of Intent to participate in the Hazard Mitigation Grant Program to FEMA within 60 days of the disaster declaration date (Appendix #2 - sample letter).

### SUBMISSION OF APPLICATIONS TO THE STATE:

The BEM will solicit "Letters of Intent" (Appendix #4 - sample letter) from applicants normally within 45 - 60 days of the disaster declaration, or some reasonable period following a catastrophic disaster.

Upon receipt of applicant Letters of Intent, the BEM will forward applications for completion by the interested applicants. Appendix #5 - is the application for this program.

A date will be established by the state for return of the applications. Ample time will be provided to applicants to develop and complete the application and to ensure compliance with all environmental requirements (NFIP, etc.).

### REVIEW, RANKING AND SELECTION OF PROJECTS:

#### 1. Review Process:

The SHMO will review all applications for completeness and to ensure they meet state and federal eligibility criteria.

A Cost Benefit review will be conducted on all projects received

The Hazard Mitigation Grant Review Committee will review and make funding recommendations on the applications. based on the communities with the highest risk and the communities impacted greatest by the pressures of development

The SHMO will provide the Director of BEM, in prioritized order, those grant applications recommended for FEMA approval by the Mitigation Grant Review Committee.

The Director of BEM will forward applications to FEMA for funding approval.

2. Ranking Process and Criteria

The Mitigation Grant Review Committee will rank all eligible projects. Ranking will include consideration based on meeting the:

- a. Objectives and criteria the State Hazard Mitigation Plan;
- b. Federal and state criteria as outlined earlier in this document;
- c. 44 CFR Section 206.435 (b) - Appendix #1;
- d. Community must be enrolled in the National Flood Insurance Program
- e. Must have a FEMA approved Hazard Mitigation Plan
- d. Available funding.

Applicants will be formally notified of the results of the Committee's ranking and reviewing process and of their recommended, or non-recommended status by the SHMO. Applicants not being recommended for funding may appeal the Committee's decision under specific criteria. The state level appeal is Appendix #6 to this document.

3. Selection of Projects

The SHMO will submit to the Director of BEM those projects that have been reviewed and ranked by the Mitigation Grant Review Committee and are recommended for submission to FEMA for final approval and funding. Applicants will be notified by the Director's office if the application has been approved for forward to FEMA.

SUBMISSION OF SELECTED PROJECTS TO FEMA:

- 1. The SHMO will prepare a project package, for transmittal to FEMA by the BEM Director, containing:
  - a. Copies of recommended applications and additional pertinent information.
  - b. A certification by BEM that the project meets all federal and state eligibility requirements.
  - c. A completed SF 424 (Application for Federal Assistance), signed by the Governor's Authorized Representative, which requests funding for all projects recommended.

2. Upon notification from FEMA of a decision on selected projects, the SHMO will notify applicants of FEMA's decision.
  - a. Approved and funded applicants will be provided information on:
    - (1) Reporting requirements;
    - (2) Process for requesting funds;
    - (3) Information on administrative costs; and
    - (4) The Contract between the State and the applicant.
  - b. Upon notification from FEMA of projects that are not approved and not funded, the SHMO will send a letter to applicants on non-approval and non-funding. **Specific criteria for appealing the federal decision will be provided. - Appendix #7.**

## VII. PROGRAM ADMINISTRATION

### ORGANIZATION:

1. The Governor's Authorized Representative (GAR) oversees mitigation expenditures.
2. The SHMO, is responsible for hazard mitigation planning and administering the Hazard Mitigation Grant Program as noted in this document and the New Hampshire State Hazard Mitigation Plan.
3. The SHMO is also responsible for the daily operations and technical aspects of the program.

4. Mitigation Grant Review Committee shall consists of (6) members, made up as follows:

- a. Appointed individuals from the following State and Local Agencies:
  - 1. Governor's Authorized Representative
  - 2. Department of Transportation
  - 3. Office of State Planning
  - 4. Department of Resources and Economic Development
  - 5. Water Resources Division
  - 6. Environmental Protection Agency
- b. An individual from any other appropriate special agency or district with expertise as required.

Local Committee members are chosen by the Directors of the State Agencies based upon a request from the SHMO.

Committee members should have experience in public works, engineering, land use planning, or disaster grant administration.

Committee members will serve without compensation.

Mitigation Grant Committee members could be experts from state, local, and federal agencies who may be consulted as needed. The Mitigation Grant Committee meets after each Presidentially declared disaster to review applications for 404 hazard mitigation grants.

The Committee will review and score the grant applications and make recommendations based on criteria mentioned earlier in this document.

5. The SHMO will review and update, as necessary, this administration document.

## STAFFING

1. During normal, routine (non-disaster period) operations, the following staffing pattern has been established. Percentages indicate what amount of time the designated individual is expected to be spending directly attributable to the Hazard Mitigation Grant Program:

GAR	Unit Manager (UM)	5%
SHMO	Community Program Developed and Operational	80%
Administrative Assistant and Finance Officer		15%
2. During disaster recovery operations, a state staffing pattern has been established (See State Disaster Management Plan). The scope of the disaster will directly affect the number of personnel required and the percentage of time designated individuals will be tasked.

## ADMINISTRATION

1. The SHMO is responsible for project management and record keeping, including project files which contain all correspondence, applications, vouchers, reports, receipts, and related documentation.
2. The Administrative Assistant will assist in the preparation of the state/local grant agreement, all correspondence and project files.
3. Quarterly progress reports will be submitted to FEMA by the SHMO based on the reports provided by the Applicant's Agent. An applicant quarterly progress report format is shown in Appendix #6. A final report will also be required from each applicant, and closeout documents will be submitted to FEMA by the SHMO.

## FINANCIAL MANAGEMENT

1. The BEM (State) will serve as Grantee for project financial management in accordance with 44 CFR, Part 13. Subgrantees (APPLICANT) are accountable to the Grantee for funds that are awarded.
2. Subgrantees are the legal entity to which the state awards money for projects. They can be a state agency, local government, special district, private nonprofit organization, or Indian Tribe. Subgrantees are responsible to the Grantee for expenditures, work performed, and reporting requirements.
3. Allowable costs associated with administering the program are authorized in accordance with Section 206.439, 44 CFR.

4. Projects costs will be reimbursed on an actual cost basis up to the contract amount. The Subgrantee admin funds, are retained pending project completion and closeout.
5. Cost overruns will normally be the responsibility of the applicant.
6. A final inspection of the completed project will be performed by the SHMO.

## AUDIT REQUIREMENTS

Uniform audit requirements as set forth in 44 CFR, Part 14 apply to all grant assistance provided under this program. FEMA may elect to conduct a federal audit on the hazard mitigation grant or on any of the subgrants.

## VIII. CLOSEOUT PROCEDURES

- A. The subgrantee shall submit closeout information in the form of a final report on work done, expenditures, and other costs.
- B. Project closeout will be noted in the project files.
- C. Final payment shall be made along with a closeout letter.

## ADMINISTRATIVE DOCUMENT REVIEW

This document will be reviewed annually or after a Presidential disaster declaration to ensure compliance with the law, implementing regulations, and state policies. It will be updated as needed to reflect regulatory or policy changes or to improve program administration.

## IX. AUTHORITIES AND REFERENCES:

1. Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended by PL 100-707, Sections 404 and 409.
2. Federal Emergency Management Agency (FEMA) Regulations, 44 CFR, Part 206, Subparts M and N.
3. FEMA Regulations, 44 CFR 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
4. Single Audit Act of 1984.

**X. DEFINITIONS:**

Selected definitions are shown below. A complete list of applicable definitions is found in 206.431, Subpart N of 44 CFR Part 206. Subpart N is attached as Appendix 1.

1. "Applicant" means a state agency, local government, special district, eligible private nonprofit organization, or Indian Tribe.
2. "FEMA Hazard Mitigation Officer (FHMO)" is the FEMA employee responsible for representing the agency in carrying out the overall responsibilities for post-disaster hazard mitigation.
3. "Grant" means an award of financial assistance.
4. "Grantee" shall mean the State of New Hampshire.
5. "Subgrant" means an award of financial assistance under a grant to an eligible subgrantee.
6. "Subgrantee" means the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided. Subgrantees may be a state agency, local government, special district, private nonprofit organization, or Indian Tribe as outlined in Section 206.434, 44 CFR.
7. "Governor's Authorized Representative (GAR)" means the individual designated by the Governor to represent the state in activities related to the implementation of Public Law 93-288 as amended, and to serve as the Grant Administrator of funds under Section 404.
8. "State Hazard Mitigation Officer (SHMO)" means the individual designated as the responsible individual for all matters related, overall, to the Hazard Mitigation Grant Program, and the Section 409 Hazard Mitigation Planning Program, Section 404 and 409 respectively of PL 93-288, as amended.
9. "Hazard Mitigation Survey Team (HMST)" means the state-led (state/federal/local) survey team that may be activated following a federally declared disaster to identify immediate mitigation opportunities to be addressed.



10. "Interagency Hazard Mitigation Team (IHMT)" means the federal-led (federal/state/local) mitigation team that is activated following major flood-related disasters pursuant to the Office of Management and Budget directive of December 15, 1980-Interagency Agreement for Nonstructural Damage Reduction to identify mitigation opportunities and issues.
11. "Project" means any eligible mitigation measure or action to reduce risk of future damage, hardship, loss or suffering from disasters. The terms "project" and "measure" are used interchangeably in the regulations
12. "Mitigation Grant Review Committee" means the six (6) member grant application review body at the state level.
13. "New Hampshire State Hazard Reduction Plan" means the document that identifies statewide hazard reduction goals and objectives, the means to accomplish them, and a time frame for implementation.

## **XI. APPENDICES**

- Appendix 1, Subpart N, Hazard Mitigation Program, Part 206 44 CFR
- Appendix 2, Letter to FEMA of Intent to Participate in the Hazard Mitigation Grant Program
- Appendix 3, Hazard Mitigation Grant Program Information Handout
- Appendix 4, Letter of Intent (Discontinued. See *The State of New Hampshire Hazard Mitigation Grant Program Application Guidance Handbook*).
- Appendix 5, Hazard Mitigation Grant Program Application (Discontinued. See *The State of New Hampshire Hazard Mitigation Grant Program Application Guidance Handbook*).
- Appendix 6, Quarterly Report
- Appendix 7, State Level Appeal Process
- Appendix 8, Administrative Guide and Contract for Funded Projects

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Source: 55 FR 35537, Aug. 30, 1990, unless otherwise noted.

### Sec. 206.430 General.

This **subpart** provides guidance on the administration of hazard mitigation grants made under the provisions of section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5170c, hereafter Stafford Act, or the Act.

[59 FR 24356, May 11, 1994]

### Sec. 206.431 Definitions.

(a) Applicant means a State agency, local government, or eligible private nonprofit organization, as defined in **subpart H** of this part, submitting an application to the Governor's Authorized Representative for assistance under the Hazard Mitigation Grant Program.

(b) Application means the initial request for section 404 funding, as outlined in Sec. 206.436.

(c) Grant means an award of financial assistance. The total grant award shall not exceed ten percent of the estimated Federal assistance provided under section 406 of the Stafford Act for major disasters declared before June 10, 1993. For major disasters declared on or after June 10, 1993, the total grant award shall not exceed 15 percent of the total estimated Federal assistance (excluding any associated administrative costs) provided under sections 403, 406, 407, 408, 410, 411, 416, and 601 of the Stafford Act.

(d) Grantee means the government to which a grant is awarded and which is accountable for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document. For purposes of this part, except as noted in Sec. 206.436(g)(1), the State is the grantee.

(e) Measure means any mitigation measure, project, or action proposed to reduce risk of future damage, hardship, loss or suffering from disasters. The term measure is used interchangeably with the term project in this part.

(f) Project means any mitigation measure, project, or action proposed to reduce risk of future damage, hardship, loss or suffering from disasters. The term project is used

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interchangeably with the term measure in this part.

(g) Section 409 Hazard Mitigation Plan is the hazard mitigation plan required under section 409 of the Act as a condition of receiving Federal disaster assistance under Public Law 93-288, as amended. This hazard mitigation plan is the basis for the identification of measures to be funded under the Hazard Mitigation Grant Program.

(h) State Administrative Plan for the Hazard Mitigation Grant Program means the plan developed by the State to describe the procedures for administration of the Hazard Mitigation Grant Program.

(i) Subgrant means an award of financial assistance under a grant by a grantee to an eligible subgrantee.

(j) Subgrantee means the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided. Subgrantees can be a State agency, local government, private non-profit organization, or Indian tribe as outlined in Sec. 206.434.

(k) Supplement means an amendment to the hazard mitigation application to add or modify one or more mitigation measures.

[55 FR 35537, Aug. 30, 1990, as amended at 59 FR 24356, May 11, 1994]

### Sec. 206.432 Federal grant assistance.

(a) General. This section describes the extent of Federal funding available under the State's grant, as well as limitations and special procedures applicable to each.

(b) Limitations on Federal expenditures. The total of Federal assistance under section 404 shall not exceed 15 percent of the total estimated Federal assistance (excluding any associated administrative costs) provided under sections 403, 406, 407, 408, 410, 411, 416, and 601 of the Stafford Act. The estimate of Federal assistance under these sections shall be based on the Regional Director's estimate of all Damage Survey Reports, actual grants, mission assignments, and associated expenses.

(c) Cost sharing. All mitigation measures approved under the State's grant will be subject to the cost sharing provisions established in the FEMA-State Agreement. FEMA may contribute up to 75 percent of the cost of measures approved for funding under the

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Hazard Mitigation Grant Program for major disasters declared on or after June 10, 1993. FEMA may contribute up to 50 percent of the cost of measures approved for funding under the Hazard Mitigation Grant Program for major disasters declared before June 10, 1993. The non-Federal share may exceed the Federal share. FEMA will not contribute to costs above the Federally approved estimate.

[55 FR 35537, Aug. 30, 1990, as amended at 59 FR 24356, May 11, 1994]

### Sec. 206.433 State responsibilities.

(a) Grantee. The State will be the Grantee to which funds are awarded and will be accountable for the use of those funds. There may be subgrantees within the State government.

(b) Priorities. The State will determine priorities for funding. This determination must be made in conformance with Sec. 206.435.

(c) Hazard Mitigation Officer. The State must appoint a Hazard Mitigation Officer, as required under 44 CFR part 206 **subpart M**, who serves as the responsible individual for all matters related to the Hazard Mitigation Grant Program.

(d) Administrative plan. The State must have an approved administrative plan for the Hazard Mitigation Grant Program in conformance with Sec. 206.437.

### Sec. 206.434 Eligibility.

(a) Applicants. The following are eligible to apply for the Hazard Mitigation Grant Program:

- (1) State and local governments;
- (2) Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in Sec. 206.221(e);
- (3) Indian tribes or authorized tribal organizations and Alaska Native villages or organizations, but not Alaska native corporations with ownership vested in private individuals.

(b) Minimum project criteria. To be eligible for the Hazard Mitigation Grant Program, a project must:

- (1) Be in conformance with the hazard mitigation plan developed as a requirement of section 409;
- (2) Have a beneficial impact upon the designated disaster area, whether or not located in the designated area;
- (3) Be in conformance with 44 CFR part 9, Floodplain Management and Protection of Wetlands, and 44

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(4) Solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed. Projects that merely identify or analyze hazards or problems are not eligible;

(5) Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster. The grantee must demonstrate this by documenting that the project;

(i) Addresses a problem that has been repetitive, or a problem that poses a significant risk to public health and safety if left unsolved,

(ii) Will not cost more than the anticipated value of the reduction in both direct damages and subsequent negative impacts to the area if future disasters were to occur. Both costs and benefits will be computed on a net present value basis,

(iii) Has been determined to be the most practical, effective, and environmentally sound alternative after consideration of a range of options,

(iv) Contributes, to the extent practicable, to a long-term solution to the problem it is intended to address,

(v) Considers long-term changes to the areas and entities it protects, and has manageable future maintenance and modification requirements.

(c) Types of projects. Projects may be of any nature that will result in protection to public or private property. Eligible projects include, but are not limited to:

(1) Structural hazard control or protection projects;

(2) Construction activities that will result in protection from hazards;

(3) Retrofitting of facilities;

(4) Property acquisition or relocation, as defined in Sec. 206.434(d);

(5) Development of State or local mitigation standards;

(6) Development of comprehensive hazard mitigation programs with implementation as an essential component;

(7) Development or improvement of warning systems.

(d) Property acquisition and relocation requirements. A project involving property acquisition or the relocation of structures and individuals is eligible for assistance only if the applicant enters an agreement with the FEMA Regional Director that provides assurances that:

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(1) The following restrictive covenants shall be conveyed in the deed to any property acquired, accepted, or from which structures are removed (hereafter called in section (d) the property):

(i) The property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, or wetlands management practices; and

(ii) No new structure(s) will be built on the property except as indicated below:

(A) A public facility that is open on all sides and functionally related to a designated open space or recreational use;

(B) A rest room; or

(C) A structure that is compatible with open space, recreational, or wetlands management usage and proper floodplain management policies and practices, which the Director approves in writing before the construction of the structure begins.

(iii) After completion of the project, no application for additional disaster assistance will be made for any purpose with respect to the property to any Federal entity or source, and no Federal entity or source will provide such assistance.

(2) In general, allowable open space, recreational, and wetland management uses include parks for outdoor recreational activities, nature reserves, cultivation, grazing, camping (except where adequate warning time is not available to allow evacuation), temporary storage in the open of wheeled vehicles which are easily movable (except mobile homes), unimproved, previous parking lots, and buffer zones.

(3) Any structures built on the property according to paragraph (d)(1) of this section, shall be floodproofed or elevated to the Base Flood Elevation plus one foot of freeboard.

(e) Inapplicability of the Uniform Relocation Act. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

does not apply to real property acquisition projects which meet the criteria identified below:

(1) The project provides for the purchase of property damaged by the major, widespread flooding in the States of Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin during 1993;

(2) It provides for such purchase solely as a result of such flooding;

(3) It is carried out by or through a State or unit of general local government;

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(4) The purchasing agency (grantee or subgrantee) notifies all potential property owners in writing that it will not use its power of eminent domain to acquire the properties if a voluntary agreement is not reached;

(5) The project is being assisted with amounts made available for:

(i) Disaster relief by the Federal Emergency Management Agency; or

(ii) By other Federal financial assistance programs.

(f) Duplication of programs.

Section 404 funds cannot be used as a substitute or replacement to fund projects or programs that are available under other Federal authorities, except under limited circumstances in which there are extraordinary threats to lives, public health or safety or improved property.

(g) Packaging of programs.

Section 404 funds may be packaged or used in combination with other Federal, State, local, or private funding sources when appropriate to develop a comprehensive mitigation solution, though section 404 funds cannot be used as a match for other Federal funds.

[55 FR 35537, Aug. 30, 1990, as amended at 59 FR 24356, May 11, 1994]

Sec. 206.435 Project identification and selection criteria.

(a) Identification. It is the State's responsibility to identify and select hazard mitigation projects. All funded projects must be consistent with the State's section 409 hazard mitigation plan. Hazard Mitigation projects may be identified through the section 409 planning process, or through any other appropriate means. Procedures for the identification, funding, and management of mitigation projects shall be included in the State's administrative plan.

(b) Selection. The State will establish procedures and priorities for the selection of mitigation measures. At a minimum the criteria must be consistent with the criteria stated in Sec. 206.434(b) and include:

(1) Measures that best fit within an overall plan for development and/or hazard mitigation in the community, disaster area, or State;

(2) Measures that, if not taken, will have a severe detrimental impact on the applicant, such as potential loss of life, loss of essential services, damage to critical facilities, or economic hardship on the community;

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(3) Measures that have the greatest potential impact on reducing future disaster losses;

(c) Other considerations. In addition to the selection criteria noted above, consideration should be given to measures that are designed to accomplish multiple objectives including damage reduction, environmental enhancement, and economic recovery, when appropriate.

Sec. 206.436 Application procedures.

(a) General. This section describes the procedures to be used by the State in submitting an application for funding for hazard mitigation grants. Under the Hazard Mitigation Grant Program the State is the grantee and is responsible for processing subgrants to applicants in accordance with 44 CFR parts 13 and 206.

(b) Governor's Authorized Representative. The Governor's Authorized Representative serves as the grant administrator for all funds provided under the Hazard Mitigation Grant Program. The Governor's Authorized Representative's responsibilities as they pertain to procedures outlined in this section include providing technical advice and assistance to eligible subgrantees, and ensuring that all potential applicants are aware of assistance available and submission of those documents necessary for grant award.

(c) Letter of intent to participate. Within 60 days of the disaster declaration, the State (Governor's Authorized Representative) will notify FEMA in writing of its intent to participate or not participate in the Hazard Mitigation Grant Program. States are also encouraged to submit a hazard mitigation application within this timeframe so that immediate post-disaster opportunities for hazard mitigation are not lost.

(d) Hazard mitigation application. Upon identification of mitigation measures, the State (Governor's Authorized Representative) will submit its section 404 Hazard Mitigation Application to the FEMA Regional Director. The Application will identify one or more mitigation measures for which funding is requested. The Application must include a Standard Form (SF) 424, Application for Federal Assistance, SF 424D, Assurances for Construction Programs if appropriate, and a narrative statement. The narrative statement will contain any pertinent project

## Hazard Mitigation Grant Program Administrative Plan

management information not included in the State's administrative plan for Hazard Mitigation. The narrative statement will also serve to identify the specific mitigation measures for which funding is requested. Information required for each mitigation measure shall include the following:

- (1) Name of the subgrantee, if any;
  - (2) State or local contact for the measure;
  - (3) Location of the project;
  - (4) Description of the measure;
  - (5) Cost estimate for the measure;
  - (6) Analysis of the measure's cost-effectiveness and substantial risk reduction, consistent with Sec. 206.434(b);
  - (7) Work schedule;
  - (8) Justification for selection;
  - (9) Alternatives considered;
  - (10) Environmental information consistent with 44 CFR part 9, Floodplain Management and Protection of Wetlands, and 44 CFR part 10, Environmental Considerations;
- (e) Supplements. The application may be amended as the State and subgrantees develop the section 409 hazard mitigation plan and continue to identify measures to be funded. Amendments to add or modify measures are made by submitting supplements to the application. All supplements to the application for the purpose of identifying new mitigation measures must be submitted to FEMA within 90 days of FEMA approval of the section 409 plan. The Regional Director may grant up to a 90 day extension to this deadline upon receipt of written justification from the State that the extension is warranted. The supplements shall contain all necessary information on the measure as described in paragraph (d) of this section.

(f) FEMA approval. The application and supplement(s) will be submitted to the FEMA Regional Director for approval. FEMA has final approval authority for funding of all projects.

(g) Exceptions. The following are exceptions to the above outlined procedures and time limitations.

(1) Grant applications. An Indian tribe or authorized tribal organization may submit a SF 424 directly to the Regional Director when assistance is authorized under the Act and a State is unable to assume the responsibilities prescribed in these regulations.

(2) Time limitations. The time limitation shown in paragraph (c) of this section may be extended by the Regional Director when justified and

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requested in writing by the Governor's Authorized Representative.

(Approved by the Office of Management and Budget under OMB Control Number 3067-0207)

Sec. 206.437 State administrative plan.

(a) General. The State shall develop a plan for the administration of the Hazard Mitigation Grant Program.

(b) Minimum criteria. At a minimum, the State administrative plan must include the items listed below:

(1) Designation of the State agency will have responsibility for program administration;

(2) Identification of the State Hazard Mitigation Officer responsible for all matters related to the Hazard Mitigation Grant Program.

(3) Determination of staffing requirements and sources of staff necessary for administration of the program;

(4) Establishment of procedures to:

- (i) Identify and notify potential applicants (subgrantees) of the availability of the program;
- (ii) Ensure that potential applicants are provided information on the application process, program eligibility and key deadlines;
- (iii) Determine applicant eligibility;
- (iv) Conduct environmental and floodplain management reviews;
- (v) Establish priorities for selection of mitigation projects;
- (vi) Process requests for advances of funds and reimbursement;
- (vii) Monitor and evaluate the progress and completion of the selected projects;
- (viii) Review and approve cost overruns;
- (ix) Process appeals;
- (x) Provide technical assistance as required to subgrantee(s);
- (xi) Comply with the administrative requirements of 44 CFR parts 13 and 206;
- (xii) Comply with audit requirements of 44 CFR part 14;
- (xiii) Provide quarterly progress reports to the Regional Director on approved projects.

(c) Format. The administrative plan is intended to be a brief but substantive plan documenting the State's process for the administration of the Hazard Mitigation Grant Program and management of the section 404 funds. This administrative plan should become a part of the State's overall emergency

## State of New Hampshire

response or operations plan as a separate annex or chapter.

(d) Approval. The State must submit the administrative plan to the Regional Director for approval. Following each major disaster declaration, the State shall prepare any updates, amendments, or plan revisions required to meet current policy guidance or changes in the administration of the Hazard Mitigation Grant Program. Funds shall not be awarded until the State administrative plan is approved by the FEMA Regional Director.

(Approved by the Office of Management and Budget under OMB control number 3067-0208)

[55 FR 35537, Aug. 30, 1990, as amended at 55 FR 52172, Dec. 20, 1990]

### Sec. 206.438 Project management.

(a) General. The State serving as grantee has primary responsibility for project management and accountability of funds as indicated in 44 CFR part 13. The State is responsible for ensuring that subgrantees meet all program and administrative requirements.

(b) Cost overruns. During the execution of work on an approved mitigation measure the Governor's Authorized Representative may find that actual project costs are exceeding the approved estimates. Cost overruns which can be met without additional Federal funds, or which can be met by offsetting cost underruns on other projects, need not be submitted to the Regional Director for approval, so long as the full scope of work on all affected projects can still be met. For cost overruns which exceed Federal obligated funds and which require additional Federal funds, the Governor's Authorized Representative shall evaluate each cost overrun and shall submit a request with a recommendation to the Regional Director for a determination. The applicant's justification for additional costs and other pertinent material shall accompany the request. The Regional Director shall notify the Governor's Authorized Representative in writing of the determination and process a supplement, if necessary. All requests that are not justified shall be denied by the Governor's Authorized Representative. In no case will the total amount obligated to the State exceed the funding limits set forth in Sec. 206.432(b). Any

## Hazard Mitigation Grant Program Administrative Plan

such problems or circumstances affecting project costs shall be identified through the quarterly progress reports required in paragraph (c) of this section.

(c) Progress reports. The grantee shall submit a quarterly progress report to FEMA indicating the status and completion date for each measure funded. Any problems or circumstances affecting completion dates, scope of work, or project costs which are expected to result in noncompliance with the approved grant conditions shall be described in the report.

(d) Payment of claims. The Governor's Authorized Representative shall make a claim to the Regional Director for reimbursement of allowable costs for each approved measure. In submitting such claims the Governor's Authorized Representative shall certify that reported costs were incurred in the performance of eligible work, that the approved work was completed and that the mitigation measure is in compliance with the provisions of the FEMA-State Agreement. The Regional Director shall determine the eligible amount of reimbursement for each claim and approve payment. If a mitigation measure is not completed, and there is not adequate justification for noncompletion, no Federal funding will be provided for that measure.

(e) Audit requirements. Uniform audit requirements as set forth in 44 CFR part 14 apply to all grant assistance provided under this **subpart**. FEMA may elect to conduct a Federal audit on the disaster assistance grant or on any of the subgrants.

### Sec. 206.439 Allowable costs.

(a) General. General policies for determining allowable costs are established in 44 CFR 13.22. Exceptions to those policies as allowed in 44 CFR 13.4 and 13.6 are explained below.

(b) Eligible direct costs. The eligible direct costs for administration and management of the program are divided into the following two categories.

(1) Statutory administrative costs--  
(i) Grantee. Pursuant to 406(f)(2) of the Stafford Act, an allowance will be provided to the State to cover the extraordinary costs incurred by the State for preparation of applications, quarterly reports, final audits, and related field inspections by State employees, including overtime pay and per diem and travel expenses, but not including regular time for

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such employees. The allowance will be based on the following percentages of the total amount of assistance provided (Federal share) for all subgrantees in the State under section 404 of the Stafford Act:

(A) For the first \$100,000 of total assistance provided (Federal share), three percent of such assistance.

(B) For the next \$900,000, two percent of such assistance.

(C) For the next \$4,000,000, one percent of such assistance.

(D) For assistance over \$5,000,000, one-half percent of such assistance.

(ii) Subgrantee. Pursuant to section 406(f)(1) of the Stafford Act, necessary costs of requesting, obtaining, and administering Federal disaster assistance subgrants will be covered by an allowance which is based on the following percentages of total net eligible costs under section 404 of the Stafford Act, for an individual applicant (applicants in this context include State agencies):

(A) For the first \$100,000 of net eligible costs, three percent of such costs.

(B) For the next \$900,000, two percent of such costs.

(C) For the next \$4,000,000, one percent of such costs.

(D) For those costs over \$5,000,000, one-half percent of such costs.

(2) State management costs--(i) Grantee. Except for the items listed in paragraph (b)(1)(i) of this section, other administration costs shall be paid in accordance with 44 CFR 13.22. Costs of State personnel (regular time salaries only) assigned to administer the Hazard Mitigation Grant Program may be eligible when approved by the Regional Director. Such costs shall be shared in accordance with the cost share provisions of section 404 of the Act. For grantee administrative costs in the Disaster Field Office, the State shall submit a plan for the staffing of the Disaster Field Office within 5 days of the opening of the office. This staffing plan shall be in accordance with the administrative plan requirements of Sec. 206.437. After the close of the Disaster Field Office, costs of State personnel (regular time salaries only) for continuing management of the hazard mitigation grants may be eligible when approved in advance by the Regional Director. The State shall submit a plan for such staffing in advance of the requirement.

(c) Eligible indirect costs--(1) Grantee. Indirect costs of administering the disaster program are eligible in accordance with the

**State of New Hampshire**

provisions of 44 CFR part 13 and OMB Circular A-87.

(2) Subgrantee. No indirect costs of a subgrantee are separately eligible because the percentage allowance in paragraph (b)(1)(ii) of this section necessary costs of requesting, obtaining and administering Federal assistance.

**Sec. 206.440 Appeals.**

An eligible applicant, subgrantee, or grantee may appeal any determination previously made related to an application for or the provision of Federal assistance according to the procedures below.

(a) Format and Content. The applicant or subgrantee will make the appeal in writing through the grantee to the Regional Director. The grantee shall review and evaluate all subgrantee appeals before submission to the Regional Director. The grantee may make grantee-related appeals to the Regional Director. The appeal shall contain documented justification supporting the appellant's position, specifying the monetary figure in dispute and the provisions in Federal law, regulation, or policy with which the appellant believes the initial action was inconsistent..

(b) Levels of Appeal. (1) The Regional Director will consider first appeals for hazard mitigation grant

**Hazard Mitigation Grant Program Administrative Plan**

program-related decisions under subparts M and N of this part.

(2) The Associate Director/Executive Associate Director for Mitigation will consider appeals of the Regional Director's decision on any first appeal under paragraph (b)(1) of this section.

(c) Time Limits. (1) Appellants must make appeals within 60 days after receipt of a notice of the action that is being appealed.

(2) The grantee will review and forward appeals from an applicant or subgrantee, with a written recommendation, to the Regional Director within 60 days of receipt.

(3) Within 90 days following receipt of an appeal, the Regional Director (for first appeals) or Associate Director/Executive Associate Director (for second appeals) will notify the grantee in writing of the disposition of the appeal or of the need for additional information. A request by the Regional Director or Associate Director/Executive Associate Director for additional information will include a date by which the information must be provided. Within 90 days following the receipt of the requested additional information or following expiration of the period for providing the information, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal. If the

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decision is to grant the appeal, the Regional Director will take appropriate implementing action.

(d) Technical Advice. In appeals involving highly technical issues, the Regional Director or Associate Director/Executive Associate Director may, at his or her discretion, submit the appeal to an independent scientific or technical person or group having expertise in the subject matter of the appeal for advice or recommendation. The period for this technical review may be in addition to other allotted time periods. Within 90 days of receipt of the report, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal.

(e) Transition. (1) This rule is effective for all appeals pending on and appeals from decisions issued on or after May 8, 1998, except as provided in paragraph (e)(2) of this section.

(2) Appeals pending from a decision of an Associate Director./ Executive Associate Director before May 8, 1998 may be appealed to the Director in accordance with 44 CFR 206.440 as it existed before May 8, 1998.

(3) The decision of the FEMA official at the next higher appeal level shall be the final administrative decision of FEMA.

[63 FR 17111, Apr. 8, 1998]

PARTS 207-299 [RESERVED]

Mr. Serri Warren  
Regional Director  
Federal Emergency Management Agency  
Region 1  
J. W. McCormack POCH  
Boston, MA 02109

Dear Mr. Warren:

The State of New Hampshire hereby applies for Section 404, Hazard Mitigation Grant Program Monies on behalf of all eligible jurisdictions approved for assistance under the major disaster declaration FEMA - \_\_\_\_-DR-NH dated \_\_\_\_\_.

As part of this process, we will write/review/revise as necessary the *State of New Hampshire Hazard Mitigation Plan* and the *State of New Hampshire Hazard Mitigation Grant Program Administration Plan* to reflect issues identified with respect to this disaster.

If additional information is required, please feel free to contact me at (603) 271-2231.

Sincerely,

Governor's Authorized Representative

JJS/wjf

cc: (EMD Staff)

# FACT SHEET

## 404 Hazard Mitigation Grant Program

As a result of a Presidential declaration of a major disaster, the State of New Hampshire will be administering and helping to fund a Hazard Mitigation Grant Program. This Program is authorized by Section 404 of Public Law 100-707, the Robert T. Stafford Disaster Relief and Emergency Assistance Act. It is one part of the package of federal disaster assistance made available to eligible applicants in declared counties, and *is separate from the Public Assistance repair and restoration program*. Specific program guidelines and grant application forms will be sent to potential applicants.

### **PURPOSE OF THE PROGRAM:**

The 404 Hazard Mitigation Grant Program (HMGP) is a program to fund projects that will reduce the effects of hazards and/or vulnerability to future disaster damage.

Unlike the Federal Emergency Management Agency's (FEMA's) more familiar public agency disaster assistance program that helps pay for the permanent repair and restoration and possible improvement of existing damaged facilities, the 404 HMGP will, within the limits of state and federal guidelines, help to fund a wide range of new projects that reduce vulnerability and the potential of damage.

### **ELIGIBLE APPLICANTS:**

State Government  
Local Government  
Special Districts

Registered Nonprofit Organizations with  
Like-Government Services  
Indian Tribes

### **FUNDING CONSTRAINTS:**

The grants will be made available to eligible applicants on a **competitive** basis.

The total amount for the Hazard Mitigation Grant Program is limited. According to the law, FEMA may contribute no more than 15 percent of the total of the combination of public assistance and individual assistance - less administrative costs under Section 406, PL 93-288 as amended.

In order to select projects for funding, all proposals will be evaluated against state and federal program criteria. Some of the general criteria are listed below. All Hazard Mitigation Grants require a 25 percent match from non-federal fund sources. Approved grants will be:

75% - Federal    -    25% - Applicant

Appendix 3



**TYPES OF PROJECTS THAT CAN BE FUNDED:**

Following are examples of projects the HMGP can be used to fund:

- . Structural hazard control, such as debris basins or floodwalls;
- . Retrofitting, such as flood proofing to protect structures from future damage;
- . Acquisition and relocation of structures from hazard-prone areas;
- . Construction activities that will result in protection from hazard; and
- . Development of state and local standards to protect new and substantially improved structures from disaster damage.

Generally the project should:

- . Substantially reduce the risk of future damage, hardship, loss, or suffering from a major disaster;
- . Have a beneficial impact in the designated disaster area;
- . Conform with federal floodplain, wetland, and environmental regulations;
- . Solve a problem, or part of a problem when there is assurance that the whole project will be completed;
- . Be cost-effective in that it addresses a problem that is repetitive or that poses a significant risk if left unsolved;
- . Contribute substantially to the problem's long term solution;
- . Provide cost-effective protection over the expected project life;
- . Have manageable future maintenance requirements;
- . Be determined to be the most practical, effective, and environmentally sound alternative among the possible options;
- . Have considered and can be modified to adapt to future changes in the area it protects;
- . Have the support of the local community.

**TO OBTAIN AN APPLICATION:**

Complete the attached Letter of Intent and return it by \_\_\_\_\_ to:

Hazard Mitigation Grant Program Coordinator  
NH Office of Emergency Management  
State Office Park South  
107 Pleasant Street  
Concord, New Hampshire 03301

**For further information, write us at the above address or call  
John Shaughnessy at (603) 271-2231.**

Appendix 3

## LETTER OF INTENT

Discontinued

See

*The State of New Hampshire  
Hazard Mitigation Grant Program  
Application Guidance Handbook*

## HMGP PROJECT QUARTERLY PROGRESS REPORT

- I. **Date of this Report:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_ **For Quarter Ending:** \_\_\_\_ / \_\_\_\_ **Year** \_\_\_\_
- II. **Applicant Organization (Sub-Grantee):** \_\_\_\_\_
- III. **Project Identification:**  
 Project Title: \_\_\_\_\_  
 Disaster No: FEMA - \_\_\_\_ - DR - \_\_\_\_ IRS Payee No.: \_\_\_\_\_  
 HMGP Application No.: \_\_\_\_\_ IPS No.: \_\_\_\_\_
- IV. **Point of Contact (Subgrantee's Agent):**  
 Name & Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_ ext. \_\_\_\_ Fax No: ( \_\_\_\_ ) \_\_\_\_ - \_\_\_\_
- V. **Project Status:** ☐ On Schedule ☐ Suspended ☐ Delayed ☐ Cancelled ☐ Completed
- Date of FEMA Project Approval: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Original Approved Completion Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 Actual Start Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Percent of Work Complete: \_\_\_\_\_
- The applicant is requesting that an extension be granted for this HMGP project through \_\_\_\_ / \_\_\_\_ / \_\_\_\_ .  
 (Attach documentation to support this request)

### A. Non-Construction Activities:

Task:	Action or Requirement:	Date Permit Submitted or Task Initiated:	% Complete (If Applicable):	Estimated Date of Completion of Task:	Date Awarded, Issued or Completed	Dependant on Task(s):
1.	SHPO Compliance					
2.	Engineering/Design					
3.	USACE Permit					
4.	DEC Permit					
5.	Local Floodplain Permit					
6.	Final Engineering / Design					
7.	Bidding Process					
8.	Construction Contract Awarded					
9.	Other (specify)					
10.	Other (specify)					
11.	Other (specify)					

### B. Construction & Implementation Activities:

Task:	Major Activity	Date Started:	% Complete: (If Applicable)	Estimated Date of Completion:	Date Completed:	Dependant on Task(s):
1.						
2.						
3.						
4.						
5.						
6.						

### C. Appraisal, Acceptance, Closing, Demolition (Acquisition Only)

Task:	Action	Date Started or Offered:	% Complete: (If Applicable)	Estimated Date of Completion:	Date Completed, Accepted, Awarded:	Dependant on Task(s):
1.	Appraisal					

2. Acceptance
3. Closing
4. Demolition
5. Site Restoration

Summary of Progress on Project from \_\_\_\_/\_\_\_\_/\_\_\_\_ through \_\_\_\_/\_\_\_\_/\_\_\_\_ (Attach Additional Sheets, if necessary):

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Problems Encountered: \_\_\_\_\_

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Assistance Required:

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VI. **Funding Status:** ☐ Unchanged ☐ Overruns ☐ Underruns

Funds Expended to Date: \$ \_\_\_\_\_ Anticipated Cost Overruns/Underruns: \$ \_\_\_\_\_  
Payment Request this Quarter: \$ \_\_\_\_\_ Received: \$ \_\_\_\_\_

**CERTIFICATION:**

As the authorized applicant's representative, I certify that the information contained within this HMGP quarterly report accurately reflects the status of this mitigation project.

\_\_\_\_\_  
Applicant's Representative - Title

**VII. Project Extension Authorization:**

Based upon our review of the supporting documentation, the requested project extension is justified. In accordance with FEMA's letter of approval, the State is granting an extension of this project through \_\_\_\_/\_\_\_\_/\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **APPLICATION FOR 404 HAZARD MITIGATION PROGRAM GRANT**

Discontinued

See

***The State of New Hampshire  
Hazard Mitigation Grant Program  
Application Guidance Handbook***

Name of Contact Person  
Office of Applicant  
Address  
Town/City

Re: Request for 404 Haz Mit Grant  
Name of Project  
Amount of requested funds  
Declaration Number

Dear Applicant:

Regarding the referenced application submitted by City of \_\_\_\_\_, based upon a recent site visit, and review of the application, discussion with city officials and FEMA and a review of historical data of site damage, it was determined that the project is not cost effective as specified in FEMA Regulation 44 CFR Part 206 Subpart N. Sec 206 434, therefore the application has been denied.

In accordance with 44 CFR Part 206 440 and the State Hazard Mitigation Administration Plan, the City of \_\_\_\_\_ is entitled to appeal the decision. Should the city/town decide to appeal, additional information on the cost effectiveness of the project must be presented with the appeal.

The appeal is to be in writing and be submitted to the Governor's Authorized Representative within 60 days after receipt of this letter to:

Bruce Cheney, Director  
Governor's Authorized Representative  
New Hampshire Bureau of Emergency Management  
107 Pleasant Street  
Concord, NH 03301

If you have any questions regarding the decision to deny this project or the appeal process, please contact me at 1-800-852-3792 or 271-2231.

Sincerely,

Michael J. Poirier  
State Hazard Mitigation Officer

JJS/wjf

Appendix #7